

**ORIGINAL**

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 8398

A RESOLUTION authorizing execution of documents to relinquish a utility easement, located at the South Kirkland Park and Ride on NE 38<sup>th</sup> Street, which is surplus and no longer needed by the Bellevue Utilities Department.

WHEREAS, in 1965, The City of Bellevue relinquished a portion of 108<sup>th</sup> Avenue NE right of way, which ran north-south along the border between Bellevue and Kirkland bearing King County Recording Numbers 5945950; and

WHEREAS, the utility easement (affixed hereto as Attachment A) described and referenced above is no longer needed by the Bellevue Utility Department and is otherwise a surplus property interest; and

WHEREAS, pursuant to RCW 35.94.404, after the City determines by resolution and after a public hearing that any lands, property, or equipment originally acquired for public utility purposes are surplus to the City's needs and not required for providing continued public utility service, said lands, property, or equipment may be leased, sold, or conveyed; and

WHEREAS, a public hearing was held by the City Council to consider the surplus of the easements rights described herein on May 21, 2012; and

WHEREAS, the City Council deems that it is in the City's best public interest to relinquish the easement rights no longer required by the Bellevue Utility Department and that the mutual consideration of said relinquishment benefit both the Utility and the fee property owners for the property described above; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES  
RESOLVE AS FOLLOWS:

Section 1. The City Manager or his designee is hereby authorized to execute the documents necessary to relinquish the easement described above, copies of which have been given Clerk's Receiving No. 48932

ORIGINAL

2651-RES  
5/16/2012

Passed by the City Council this 21<sup>st</sup> day of May, 2012,  
and signed in authentication of its passage this 21<sup>st</sup> day of May,  
2012.

(SEAL)

Conrad Lee  
Conrad Lee, Mayor

Attest:

Myrna L. Basich  
Myrna L. Basich, City Clerk